

Central Intelligence Agency



Washington, D. C. 20505

Executive Registry

84-2765

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29 June 1984

AH-EL 83-2881

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Dear 

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This letter is in response to your letter of 16 May 1983 in which you appeal the decision of this Agency to deny you access to portions of certain Agency documents which were referred to us for review following your initial Freedom of Information Act request to the Department of Justice.

Your letter has been presented to the Central Intelligence Agency Information Review Committee, and pursuant to the authority delegated under paragraph 1900.51(a) of Chapter XIX, Title 32 of the Code of Federal Regulations, Mr. James H. Taylor, Inspector General, has reviewed the documents, the determinations made with respect to them and the propriety of the applications of the exemptions to the Freedom of Information Act, as amended (FOIA).

A description of the documents, the determinations made with respect to them and the basis for exempting any of the material from the disclosure requirement of the FOIA follow. Since your appeal was concerned only with those documents which were denied to you in part, documents numbered 6 and 7 were not considered in the processing of this appeal.

<u>Document No. and Description</u>	<u>Determination</u>	<u>Exemption Basis</u>
2. Letter, 18 Sep. 1981	Release additional information	(b)(5)
3. Letter, 22 May 1981	Release additional information	(b)(5)
4. Letter with attachments, 4 Mar. 1981	Confirm partial release	(b)(5)

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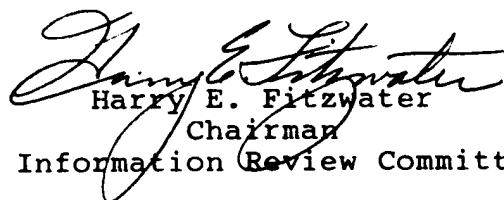
5. Letter with                      Release additional                      (b)(5)  
    attachments,                      information  
    5 Mar. 1981

As you may know, exemption (b)(5) pertains to internal communications such as drafts, memoranda between officials and opinions prepared by an agency's staff personnel concerning advice generated in the process of formulating policies and making decisions.

Enclosed you will find a copy of those portions of each document which it has been determined on appeal to be releasable to you.

In accordance with the provisions of the Freedom of Information Act, you may request a judicial review of the above determinations in a United States district court.

Sincerely,

  
Harry E. Fitzwater  
Chairman  
Information Review Committee

Enclosures

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Next 2 Page(s) In Document Denied

20 MAY 1983

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Dear 

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Your letter of 16 May 1983 was received on 20 May 1983. This letter constituted an appeal of denials made in our 26 January 1983 response to your Freedom of Information Act request of 29 March 1982. Accordingly, arrangements will be made for consideration of your appeal by the Information Review Committee.

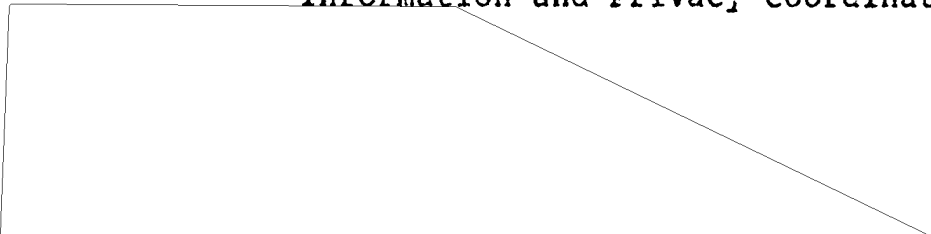
We are in the process of recalling the record of your request from record storage. As soon as the file has been received in my office, the processing of your appeal will be started in accordance with the date of receipt of your appeal.

In order to process appeals in the most equitable manner possible, we have adopted the policy of treating the appeals on a first-received, first-out basis. To date, we have a backlog of approximately 140 appeals. Please be assured, however, that your appeal will be processed as quickly as possible. You will be advised on the outcome as soon as our processing has been completed.

Sincerely,

/s/ Larry R. Strawderman

Larry R. Strawderman  
Information and Privacy Coordinator



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16 May 1983

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Director of Intelligence  
Central Intelligence Agency  
ATTN: CIA Information Review Committee  
c/o Larry R. Strawderman  
Information and Privacy Coordinator  
Washington, D.C. 20505

Log / Appeal

re: FREEDOM of INFORMATION APPEAL

Dear Committee Members:

This letter constitutes formal appeal, under provisions of the Freedom of Information Act (5 U.S.C. 552), of the denial of portions of documents released under cover of the letter of 26 January 1983 (attached) pursuant to my FOIA request of 20 November 1980.

The withholding is without foundation in law and authority, particularly since those portions withheld, in large measure, serve only to inform the public of the manner in which the CIA administers the FOIA.

It is requested that a response to this appeal be provided within twenty (20) working days after receipt, in accordance with law and regulation.

To the extent the requested documents remain unavailable, please state the justification for not disclosing each portion of each document requested, with appropriate itemization and indexing so that it will be apparent what is claimed exempt and what is not claimed exempt and for what reasons, as stipulated in Vaughn v Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

Sincerely,

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26 JAN 1983

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Dear [REDACTED]

In the course of the Department of Justice's search of its records in response to your Freedom of Information Act (FOIA) request of 20 November 1980, seven CIA documents pertaining to your request were located and referred to this Agency for direct response to you. These items were reviewed carefully and our determinations are as follows:

Enclosed, Tab A, is a document which is being released to you in its entirety.

Document

1. Letter, 5 January 1978.

Also enclosed, Tab B, are copies of segregable portions of the documents listed below. Deletions were made under the exemption provision (b)(5) of the FOIA. An explanation of this exemption is enclosed at Tab C.

Document

2. Letter, 18 September 1981.
3. Letter, 22 May 1981.
4. Letter, 4 March 1981, with attachments.
5. Letter, 5 March 1981, with attachments.

The following items are being denied in their entirety under the (b)(5) exemption.

Document

6. Letter, undated.

7. Letter, undated.

The official responsible for the above determination is Mr. Stanley Sporkin, General Counsel for the CIA.

I am advising you of your right to appeal the above decisions by addressing your appeal to the CIA Information Review Committee, in my care. Should you decide to do this, please set forth the basis of your appeal.

We wish to apologize for the length of time it has taken us to complete the processing of your request. We have been inundated, however, by a large number of requests over the past several years. Under the circumstances, we can only do our best to apportion our time and efforts in a manner calculated to satisfy all of our requesters. Thus, we have adopted the policy of first-received, first-answered. Thank you for your patience and consideration while we were completing the processing of your request.

Sincerely,

/s/ Larry R. Strawderman

Larry R. Strawderman  
Information and Privacy Coordinator

Enclosures

cc: Department of Justice  
Jean K. Fitzsimon

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